

Appl. No. 09/809,213
Amdt. dated October 31, 2005
Reply to Decision of August 31, 2005

REMARKS/ARGUMENTS

Appellant has received the Board of Patent Appeals and Interferences Decision dated August 31, 2005, in which the Board: 1) sustained the Examiner's rejection of claims 1, 2, 4 – 15, 21 and 25 under 35 U.S.C. § 102; and 2) reversed the Examiner's rejection of claims 3, 16 – 20, 22 – 24 and 26 – 28 under 35 U.S.C. § 102. With this Response, Appellant amends claims 1, 4, 5, 22, 23, 26 and 28 to comply with the Board's decision and cancels claims 2, 3, 10 – 15, 21 and 25. Based on the amendments and arguments presented herein, Appellant believes this case to be in condition for allowance.

The Board reversed the Examiner's rejection of claim 3. Appellant complies with the Board's decision by amending claim 1 to include the limitations of claims 2 and 3. Because claim 1 is amended to include the limitation of claim 3, Appellant submits that claim 1 and dependent claims 4 – 9 are in condition for allowance. Appellant also amends claims 4 and 5 to correct claim dependency.

The Board reversed the Examiner's rejection of claims 16 – 20 and thus claims 16 – 20 are in condition for allowance.

The Board reversed the Examiner's rejection of claims 22 – 24. Appellant complies with the Board's decision by amending claims 22 and 23 into independent form and submits that claims 22 and 23 are in condition for allowance. Moreover, because the Board reversed the Examiner's rejection of claim 24, and further because claim 24 depends on claim 23, claim 24 also is in condition for allowance.

The Board reversed the Examiner's rejection of claims 26 – 28. Appellant complies with the Board's decision by amending claims 26 and 28 into independent form and submits that claims 26 and 28 are in condition for allowance. Moreover, because the Board reversed the Examiner's rejection of claim 27, and further because claim 27 depends on claim 26, claim 27 also is in condition for allowance.

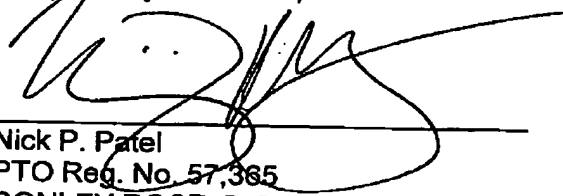
In the course of the foregoing discussions, Appellant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that

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the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Appellant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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